

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

MIDAS GREEN TECHNOLOGIES, LLC,

Plaintiff,

v.

Civil Action No. 6:22-CV-00050-ADA

RHODIUM ENTERPRISES, INC., *et al.*,

Defendant.

JOINT NOTICE TO AMEND SCHEDULING ORDER

Pursuant to the Court’s Deficiency Notice (Dkt. No. 146) Plaintiff Midas Green Technologies, LLC (“Midas Green”) and Defendants Rhodium Enterprises, Inc., Rhodium Technologies LLC, Rhodium 10mw LLC, Rhodium 2.0 LLC, Rhodium 30mw LLC, Rhodium Encore LLC, Rhodium Renewables LLC, Rhodium Renewables Sub LLC, and Rhodium Ready Ventures LLC (“Rhodium Defendants”) (collectively, “Parties”) file this Joint Notice to Amend Scheduling Order and would show the Court as follows:

Pursuant to the Court’s Order Granting Joint Motion for Entry of Amended Scheduling Order (Dkt. No. 139), the deadline for the Parties to file their dispositive and *Daubert* motions is February 23, 2024. *See* Dkt. No. 139. The deadline for the Parties to file their responses to dispositive and *Daubert* Motions is March 8, 2024. *Id.* The deadline for the Parties to file their replies to dispositive and *Daubert* motions is March 19, 2024. *Id.* At this time, the Parties respectfully request that the Court extend (1) the deadline to file dispositive and *Daubert* motions up to and including March 1, 2024; (2) the deadline to file responses to dispositive and *Daubert*

motions up to and including March 15, 2024; and (3) the deadline to file replies to dispositive and *Daubert* motions up to and including March 26, 2024.

Event	Former Date	New Date
Dispositive motion deadline and <i>Daubert</i> motion deadline. See General Issues Note #7 regarding providing copies of the briefing to the Court and the technical advisor (if appointed). (Dkt. 54)	February 23, 2024	March 1, 2024
Last court day to file and serve response to dispositive motion and <i>Daubert</i> motions. ***Note: CV-7(d)(2) may set different deadline to file response. Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, discovery and deposition designations).	March 8, 2024	March 15, 2024
Serve replies to dispositive motions and <i>Daubert</i> motions	March 19, 2024	March 26, 2024

Dated: February 21, 2024

Respectfully submitted,

/s/ Michael C. Smith (with permission)

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record are being served with a true and correct copy of this document via the Court's CM/ECF system on February 21, 2024.

/s/ Melissa R. Smith

Melissa R. Smith